

**REMARKS/ARGUMENTS**

Currently, claims 21-28 are pending in the present application. Claims 21 and 24 have been amended. Claims 25-28 have been added. Claims 1-20 have previously been canceled. Reconsideration of claims 21-28 in light of the present remarks is respectfully requested.

**Rejections under 35 U.S.C. § 103**

The Examiner has rejected claim 21 and 24 under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 5,004,899 to Ueda in view of U.S. Patent No. 5,015,830 to Masuzawa. Applicants respectfully traverse the rejection.

Claim 21 generally relates to a transaction card system. Among other elements, amended claim 1 requires “a housing comprising a hinge for opening and closing said housing wherein the housing is secured within the portable electronic device.” The Examiner contends Masuzawa teaches a housing interconnected with an electronic device wherein the housing surrounds the card and the card is attached to the housing. (*See* Office Action dated February 23, 2006, Pg. 3).

Masuzawa is directed to an electronic card reading device. The electronic reading device has a soft cover that, when opened, exposes a standard card pocket (housing). This card pocket is of the type ordinarily found in wallets and is used to simply hold name cards, credit cards, and driver’s licenses. (Masuzawa, Col. 3, Ins. 50-56). The card pocket (housing) is not secured within the electronic reading device. Instead, both the card pocket (housing) and electronic reading device are located on opposite sides of the hinge on the inside portion of the soft cover. As a result, Masuzawa fails to disclose, teach, or suggest “a housing comprising a hinge for opening and closing said housing wherein the housing is secured within the portable electronic device.” Applicants further submit that Ueda fails to disclose the above-cited element.

In order to establish a prima facie case under 35 U.S.C. § 103(a), the prior art reference, or combination of references must teach or suggest all the limitations of the claims. *In re Zurko*, 111 F.3d 887, 888-89, 42 U.S.P.Q.2d 1476, 1478 (Fed. Cir. 1997). As noted above, the combination of the references fails to disclose, teach, or suggest all the limitations of claim 21. As a result,

Applicants respectfully submit that claim 21 is patentable over the cited references. Additionally, claims 22-23 and 25-26 depend on claim 21 and include all the elements of claim 21. Therefore, Applicants respectfully submit that claims 22-23 and 25-26 are also patentable over the cited references.

Similar to claim 21, claim 24 generally relates to a transaction card system. Among other elements, amended claim 24 requires, “a housing comprising a hinge for opening and closing said housing, said housing secured within the portable electronic device.” For the reasons stated above, Applicants submit that neither Ueda nor Masuzawa, alone or in combination, disclose, teach, or suggest the above-recited element. Therefore, the references fail to disclose, teach, or suggest all the elements of claim 24 and Applicants respectfully submit that claim 24 is patentable over the cited references. Additionally, claims 27-28 depend on claim 24 and include all the elements of claim 24. Therefore, Applicants respectfully submit that claims 27-28 are also patentable over the cited references.


### **CONCLUSION**

In view of the foregoing remarks, Applicants respectfully submit that all of the claims in the Application are in allowable form and that the Application is in condition for allowance. If, however, any outstanding issues remain, Applicants respectfully urge the Examiner to telephone Applicants’ undersigned attorney so that the same may be resolved and the Application expedited to issue. Applicants respectfully request the Examiner to indicate all claims as allowable and to pass the Application to issue.

In re Lasch et al.  
U.S. Patent Application No. 10/802,171

Respectfully submitted,

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